

October 6, 2005

Magistrate Judge Joseph C. Spero
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Via Facsimile & E-File: (510) 637-3545

Attn: Karen Hom

RE: Brice v. Progressive; Case No. C05-0809 JCS

Dear Judge Spero:

Pursuant to today's telephone conversation with your Courtroom Deputy Ms. Hom, I write regarding my request to appear by telephone for the Case Management Conference currently scheduled for **October 7, 2005 at 1:30 p.m.** I am not able to make a personal appearance, as previously intended, due to the fact a member of my family has taken ill unexpectedly.

I can be reached for the conference at (916) 201-9950. I understand telephone appearances are called at the end of the calendar. That is not a problem, and we appreciate the ability to appear via telephone. Thank you very much for your assistance and professionalism. I look forward to your early reply.

Dated: October 6, 2005

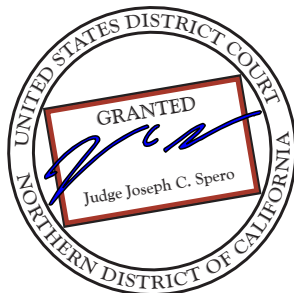
Very truly yours,

NOLEN SAUL BRELSFORD

/s/

Jonathan Saul

/js



cc: Blane Smith, Esq.